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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/689,005	10/12/2000	Shoei Kobayashi	202702US6	7667
22850	7590	11/01/2004	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			CHU, KIM KWOK	
			ART UNIT	PAPER NUMBER
			2653	

DATE MAILED: 11/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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Technology Center 2600

Advisory Action

Application No.

09/689,005

Applicant(s)

KOBAYASHI ET AL.

Examiner

Kim-Kwok CHU

Art Unit

2653

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 07 September 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____

Claim(s) objected to: _____

Claim(s) rejected: 1 and 6-10.

Claim(s) withdrawn from consideration: _____

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____
10. ☐ Other: _____

Continuation of 5. does NOT place the application in condition for allowance because:

1. Applicant states that the independent claim 1 specifies ".....including the control of a servo circuit controlling a seek operation so as to jump tracks of the optical disk." (page 2 of the Remarks, last third and fourth lines). Accordingly, claim 1 does not claim above limitations such as "seek operation" and "jump tracks".
2. Applicant questions how the reproduced signal/servo signal detection circuit 4 and the recording signal generating circuit 8 of Inokuchi are disclosed to produce the Claim 1 wobble enable signal to be applied to the PLL circuit (page 3 of the Remarks, lines 3-5). Accordingly, Applicant's wobble enable signal is produced by a system controller means during a switching operation of recording/reproducing. Similarly, Inokuchi teaches a track jump operation which occurs of switching between a reproducing and recording operation where a track jump is required. Inokuchi's controller means 22 constantly monitors tracking signals and outputs a wobble enable signal such as an abnormal jump signal to stop the recording/reproducing process. When the charge pump 18 receives a signal indicating absences of the wobble signal (column 16, lines 42-49), the PLL circuit maintains a stable synchronization clock signal (column 16, lines 21-23).
3. Applicant states that the abnormal jump detector circuitry 22 is clearly not taught or suggested by Inokuchi to be part of any of the separate and distinct reproduced signal/servo signal detection circuit 4, the recording signal generating circuit 8, or the focusing/tracking control section 10 (page 3 of Remarks, lines 14-16). Accordingly, Inokuchi teaches that the abnormal jump detector circuitry 22 controls the following:
 - (a) the modulator 9, which controls the Recording signal generation circuit 8 (column 16, lines 4-9); and
 - (b) the demodulator 6 and the reproduced signal digitization circuit 5, which control the Reproduced signal/servo signal detection circuit 4 (column 16, lines 4-9).
4. Therefore, the circuits 4, 8 and 22 are disclosed or suggested by Inokuchi to be combined with each other to provide a true system controller means that could control the recording/reproducing apparatus including the following:
 - (a) servo circuitry such as to stop the recording/reproducing process;
 - (b) the switching of the recording/reproducing such as to read and then write; and
 - (c) producing a wobble signal such as a stable synchronization clock signal.

Examiner: Kim-Kwok CHU

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TAN DINH
PRIMARY EXAMINER